IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 5223 OF 2007

Mrs. Begampalli M.M. & ors.... Petitioner

versus

Mustaffa Daud Kistake & ors..... Respondent.

Shri I.M.Khairdi for the petitioners

CORAM; A.P. DESHPANDE, J.
DATED; 30TH AUGUST, 2007

P.C.;

1. By the instant writ petiiton, an exparte order dated 15-5-2004 passed by the Joint Charity Commissioner is challenged. Perusal of the said order reveals that the application was filed by the respondent under section 41-E of the B.P.Act and a prayer for exparte temporary injunction was made. The authority instead of granting any exparte order, issued a show cause notice to the present petitioner. The present petitioner sought an adjournment and hence the ad-inteim order of injunction was issued against the present petitioners. According to the petitioners, thereafter reply was filed and very many attempts are made to have expedited hearing of the application Exh.6. But for one reason or the other, the application has not been taken up for decision and

is still pending on the file of Joint Charity Commissioner. As the writ petition has been belatedly filed challenging the order passed in May 2004, I decline to entertain the petition. The writ petition is thus dismissed. However I hope and trust that the Joint Charity Commissioner shall decide the application at Exh.6 as expeditiously as possible.

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